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SUBJECT: RELIGIOUS AFFAIRS COMMITTEE PRAISES RELIGION
ORDINANCE, NORTHERN PROTESTANTS REACT

This cable was coordinated with ConGen Ho Chi Minh City

1. (SBU) Summary: The Vietnamese press recently published an interview with the GVN official responsible for religious affairs in which he highlighted Hanoi's accomplishments in the area of religious freedom since it enacted a new law on religion last year. The article, which was intended to rebut critics of Vietnam's record on religious freedom, failed to address the critical problem of local policy implementation, although it did emphasize the positive role religious organizations can play in social welfare and development. An official responsible for Protestant affairs was more realistic and offered a frank, but not altogether encouraging, assessment of the GVN's efforts to implement the new legal framework for religion. A northern Protestant leader, while agreeing that there has been some progress, highlighted the GVN's continued refusal to resolve property issues and to register sub-congregations. End Summary.

Chairman Thi's Interview

2. (SBU) On November 4, the Vietnam News Agency (VNA) published an interview with Ngo Yen Thi, Chairman of the GVN's Committee for Religious Affairs (CRA), reviewing the past year's implementation of the Ordinance on Belief and Religions. (Note: The ordinance went into effect on November 15, 2004, but its Implementing Decree was not released until March 1, 2005. End note.) Thi asserts in the interview that, since the adoption of the Ordinance, "the religious life in Vietnam has obviously changed." Listing a number of examples of religious events that occurred during the past year, Thi also seeks to both rebut international criticism from those who "have for long held unfair views about the religious situation in Vietnam, writing letters to authorities at various levels or airing information on the Internet" and marginalize those who "have tried to undermine the great national unity and to cause political instability and social disorder."

3. (SBU) The VNA article specifically highlights the following items as proof of the improvement in Vietnamese religious life: 1) the existence of numerous sanctioned activities by recognized religious organizations that are allowed to choose their own leaders as approved by the State; 2) the GVN's decision to permit the Catholic Church to establish several new dioceses and to create "favorable conditions" for Protestants to establish new congregations; 3) the "smoothness" with which individuals are allowed to join religious professions when registered with local authorities; 4) the renovation and/or construction of many places of worship; 5) the decision to permit seminaries to train priests on an annual, rather than biennial, basis; and 6) the granting of land-use rights to many religious organizations, including a theological seminary for the Southern Evangelical Church of Vietnam (SECV) in Ho Chi Minh City, the Vietnam Buddhism Institute in Hanoi and several chapters of the Protestant Church in the Central Highlands." Chairman Thi is also quoted as saying that, "by the end of September this year, Protestants in the Central Highlands and the southern province of Binh Phuoc had 50 congregations legally recognized and 282 places of worship legally registered." Thi further claims that the GVN permitted religious organizations to print and publish 4,314,000 copies of their own prayer books, bulletins and reviews through the State publishing house, and also to expand their international outreach efforts.

4. (SBU) In addition to this often-heard litany of GVN accomplishments in religious freedom, the article is noteworthy for emphasizing the contribution of religious organizations to the "Great National Unity" by their involvement in socio-economic development in the areas of education, medicine, disaster relief, and in social welfare for the elderly, orphans, lepers and people living with HIV/AIDS.

CRA Protestant Affairs Perspective

15. (SBU) On November 4, Nguyen Van Thong, the central Committee on Religious Affairs' Director for Protestant Affairs, gave Poloff his own assessment of the current status of the Ordinance on Religion as it pertains to his area of responsibility. Thong opened by noting that the GVN and the United States take different approaches to religion in Vietnam. Without apparent irony, he added that he recognizes how "U.S. extremists use Protestantism to advance U.S. strategic goals" because he read the bible while a POW in a U.S. Army prison camp during the war. There are now fifty-eight officially recognized Protestant organizations in Vietnam, he noted, adding that of these, the Evangelical Church of Vietnam North (ECVN) and the SECV represent roughly 80 percent of Vietnamese Protestants, or about 500,000 believers. While Thong lauded both the ECVN and SECV for "serving both God and the State," Vietnam's other fifty-six Protestant organizations have "not been as helpful" to the GVN. In particular, Ho Chi Minh City's New Life Fellowship (NLF) congregation under Pastor Eric Dooley and the Mennonite congregation under Pastor Quang had both willfully broken Vietnamese law rather than "preach the word of the bible." Creating a new Protestant sect, as the NLF did, is a crime under Vietnamese law; however, the Mennonites went even further and actively distributed political materials to the public, a major crime. Other groups have been equally problematic for the GVN, Thong said (NFI). (Note: ConGen HCMC will provide an update septel on the New Life Fellowship. End Note.)

16. (SBU) According to Thong, the CRA is planning to assemble the leaders of the fifty-six "intransigent" Protestant groups in Ho Chi Minh City in the near future in order to explain the context of the Ordinance on Religion, e.g., that groups operating under its auspices must: 1) follow their State-sanctioned charters, 2) obey the law and 3) "understand their commitments to the State" when expanding contacts with groups outside Vietnam. If Protestant organizations operate within these tenets, they should have the right to assemble and worship as they please when officially registered and/or recognized, he said.

17. (SBU) When challenged about the difficulties faced by local Protestant congregations seeking to officially register and be recognized, Thong averred that the GVN has a consistent policy to allow groups to register at the grassroots level in order to achieve eventual recognition. In effect, the GVN policy is first to register small groups and then recognize new sects when large enough and structured enough to have their own national charter. Thong asserted that next year the GVN plans to use this process to recognize a number of Protestant sects that existed in the south before 1975 and which have since been seeking recognition, including the Baptists, the Seventh Day Adventists, the Christian and Missionary Alliance and others. However, registering Protestant groups is extremely difficult because of the "bewildering divisions" amongst sects, noting that the Baptists alone have eight separate organizations in Vietnam. Thong stated with some exasperation that "it is nearly impossible to satisfy all members of such groups," which thus makes it very hard to institute a national charter to legalize a specific organization. The grassroots approach is an informal CRA policy that attempts to circumvent this problem in the short term, without provoking the normal GVN solution to complicated problems, which is to create an even more stifling bureaucracy.

18. (SBU) Thong also admitted that some local officials are "allergic" to implementing GVN policy on Protestantism for historical reasons. In fact, a number of local leaders do not adhere to regulations, he acknowledged. Despite this and the other problems listed above, Thong asserted that the GVN is determined to enforce the Ordinance on Religion and there has been some progress in implementation, delays notwithstanding. Since the Ordinance was promulgated, for example, the CRA has helped publish millions of religious documents, including enough bibles for all believers to own their own Vietnamese copies. Also, there has been significant progress in property rights issues, such as the case involving the ECVN Hanoi congregation's church. While the GVN has not issued a land-use certificate for the church property to the congregation because Vietnamese law forbids individual churches to control their properties, the GVN has made clear, under its "new policy of openness," that it is willing to resolve the problem by issuing a certificate directly to the ECVN, once all land disputes with squatters within the property are resolved.

Practitioner's Perspective

19. (SBU) On November 7, Reverend Au Quang Vinh, Chief Pastor of the ECVN's Hanoi congregation, gave his own perspective on progress in religious freedom for northern Protestants since the promulgation of the Ordinance on Religion. Some

of the points made by Thi and Thong are correct concerning significant progress in the specific areas of publication of religious materials, transfer and appointment of pastors and reconstruction of places of worship, he acknowledged. These are all much improved areas and, speaking generally, there have been some advances in religious freedom. However, there remain significant problems for ECVN Protestants that the GVN has so far failed to address despite the new legal framework on religion, he averred.

10. (SBU) The biggest problem facing the ECVN is the persistent lack of trained ministers and the GVN's refusal to allow the ECVN to construct new training facilities, Vinh continued. Although the ECVN hopes to build a new training center on the Hanoi church property mentioned by Thong above, the GVN refuses to issue a land-use certificate to the Hanoi congregation to make this possible. When asked if the GVN actually offered to issue this certificate to the ECVN vice the congregation itself, Vinh explained that technically, under the ECVN's charter, all church properties must be owned by the central organization, but this makes it impossible to actually renovate any properties because the local authorities require individual congregations to present land-use certificates to qualify for permission to renovate their churches. Caught in a catch-22, the ECVN has thus continued to insist that the GVN issue certificates directly to individual congregations like the Hanoi congregation. To complicate matters further, Vinh said that the GVN has consistently raised the canard of squatters in ECVN properties, but has deliberately delayed legal resolution of such disputes. In the case of the Hanoi church, for example, the squatter in question is the son of an ECVN pastor who died five years ago. The son refuses to move out of his residence despite an initial court decision against him, and the case has been on appeal for years with no apparent hurry on the part of the authorities to resolve it. Thus Vinh concludes that the GVN's "offer" to give the land-use certificate to the ECVN directly once the case is resolved is doubly disingenuous.

11. (SBU) Pastor Vinh noted that registration of sub-congregations also remains a significant problem, as only one sixth of ECVN's sub-congregations have successfully registered since they first began applying under the new rules. In many cases, these applications are long past the official deadline for adjudication, but have received no official response. In other cases, particularly in the Northwest Highlands, officials have given "ridiculous" responses. For example, in Khun Ha commune in Lai Chau Province, a Hmong congregation's June application to the People's Committee received a response from the Provincial Party Committee which stated that all Protestant congregations operating in the province are illegal and that there is no grounds for anyone to say that the GVN has established conditions for the legalization of these groups. The letter concluded that any reports of a purported GVN legalization policy are incorrect, but the point is moot as no Hmong people are Protestant anyway. (Note: The letter made deliberate use of the term "Vang Chu" rather than "Protestant," which is a deliberate reference to an outlawed Hmong militant sect based in Laos. See Ref A. End Note). In addition to these kinds of problems, Vinh also noted that many ethnic minorities are still actively encouraged to renounce their faith by officials who threaten to refuse land-use certificates and microfinancing to individual believers.

12. (SBU) Pastor Vinh identified the recovery of church properties in provinces with Protestant traditions and the registration of new sub-congregations in areas without a Protestant history as the most critical focus for the ECVN's efforts to improve its relations with the GVN under the new Ordinance on Religion. Thanh Hoa, Nghe An and Thai Binh provinces all used to have large churches that served as a base for sub-congregations in neighboring areas. These churches would resume such a role if the ECVN could recover the properties. Vinh also explained that new congregations in areas less prone to discrimination against Protestants (unlike Lai Chau) might play a similar supportive role for Protestants in harsher neighboring areas if they are allowed to register and build churches. But this is also problematic. For example, following a recent visit by the Ambassador (Ref B), local officials told the Quang Ninh Province congregation that they can now register with the local CRA, but only as an "independent" congregation. Although this is an improvement on previous official refusals to accept their registration application, this independent status would prevent the congregation from ever actually building a church, which Vinh explained is the whole point of registration in the first place.

13. (SBU) Summing up, Pastor Vinh stated that progress on religious freedom for Northern Protestants has been slow, despite some advances. He noted that the ECVN as a whole feels that the SECV and southern Protestants have generally received far better treatment from the GVN, and he expressed

the hope that the Embassy will continue to encourage the GVN to treat the ECVN Protestants more equitably.

Comment

14. (SBU) Chairman Thi is correct that Vietnam has made some advances in religious freedom since last year's promulgation of the Ordinance on Religion, particularly in southern and central Vietnam. His explicit recognition of the positive role that religious institutions can play in Vietnam's social welfare and development is also welcome. However, his interview glosses over the critical problem the GVN faces with implementation of its religious policies at the local level.

15. (SBU) The comments of Thi's subordinate on the "intransigence" of house church organizations and their "bewildering number" demonstrates that suspicion and ignorance of religion runs deep among GVN officials, even at the central level. In fact, at the provincial and local level, while there clearly are plenty of obstructionists, there also are quite a number of officials who take a far more helpful and open view of Protestantism than Protestant Affairs Director Thong.

16. (SBU) While Thong argues that "informally" encouraging house church organizations to register at the local level would avoid "bureaucratic complications," this approach runs counter to the letter and intent of the legal framework on religion. That legal framework clearly stipulates that any organization that operates in more than one province has the right to apply for registration directly to the central-level CRA and to receive a reply within 60 days. Similarly, Thong's approach of arguing that there can only be one GVN-recognized organization representing a particular denomination (i.e., Baptist or Mennonite) also appears to run contrary to the legal framework on religion. Under the law, any religious organization can apply for registration and recognition, so long as it meets certain legally-defined criteria.

17. (SBU) Thong already may be implementing this more restrictive approach to registration and recognition. One Baptist house church leader -- one of the most moderate in HCMC -- recently complained to ConGen HCMC that he was told by Thong that he could not apply for national registration until every one of his churches was registered at the provincial level. Thong also was pressing this leader to engineer a merger of the four major Baptist groups in southern and central Vietnam so that the CRA would not be burdened with administering multiple groups. Thong apparently was insistent, despite our contact's noting that there were serious personality and operational differences between the Baptist house church organizations.

18. (SBU) That said, Thong's statements demonstrate that he knows he is under pressure to implement the Ordinance on Religion. In addition to improving operating conditions for house churches, the GVN is keenly aware that it must register and recognize churches if it is to be seen as abiding by its May 2005 exchange of letters with the United States on religious freedom issues. Pastor Vinh's pessimistic assessment reflects the disappointment felt by Protestant leaders in northern Vietnam at the GVN's inability or unwillingness to implement the new legal framework on religion faster and more evenly, particularly in comparison to their SECV colleagues in southern and central Vietnam. Nevertheless, even Vinh still agrees that the GVN has made at least some progress in religious freedom since the promulgation of the Ordinance on Religion, if not nearly as much as Chairman Thi may claim. End Comment.

MARINE